

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PABLO RODRIQUEZ, ERNESTO HERNANDEZ  
AND GLORIA SACTA,

Civil Action No.: 12-CV-1402 (PKC)

Plaintiffs,

v.

**DECLARATION**

KALMAN TABAK, ABRAHAM FINKELSTEIN,  
Individually and NEW HOPE FUND LLC d/b/a 1195  
SHERMAN AVE. LLC d/b/a 1056 BOYNTON AVE.  
LLC,

Defendants.

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Stuart Weinberger, declares pursuant to 28 U.S.C. § 1746, as follows:

1. Our firm represents defendants Kalman Tabak, Abraham Finkelstein, New Hope Fund LLC, D/B/A 1195 Sherman Ave. LLC, D/B/A 1056 Boynton Ave. LLC. I am familiar with the facts in this case based upon personal knowledge and examination of the records and documents in this case.
2. The defendants do not oppose the motion by plaintiffs' attorneys to withdraw from this matter.
3. However, regardless of the outcome of this motion to withdraw, the defendants wish to proceed with their motion to dismiss for the reasons stated in the defendants' March 27, 2012 letter to the Court.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 11, 2012.

/S/ Stuart Weinberger  
Stuart Weinberger